

RECEIVED
CENTRAL FAX CENTER

JUN 04 2007

REMARKS

In the above-identified Office Action, the Examiner imposed a restriction requirement as between one of several embodiments that are discussed in the written description, on pages 5 through 7 of the instant Lexmark application. The Examiner stated that there are several patentably distinct species of the claimed invention, and listed six (6) species that correspond to individual paragraphs on pages 5-7. The Examiner is requiring Applicant not only to elect a single species, but also to list all claims that are readable on such species. Finally, Applicant must make a provisional election for prosecution on the merits, notwithstanding any traverse.

List of Species, and Corresponding Description:

Pages 5-7 describe invention "summaries" that correspond to the claims, as follows:

Species I: claims 1-14
Species II: claims 15-27
Species III: claims 28-38
Species IV: claims 39-47
Species V: claims 48-57
Species VI: claims 58-69

Conclusion, and Provisional Election

In order to comply with 37 C.F.R. § 1.146, and the Examiner's requirement, Applicant hereby provisionally elects **Species IV, claims 39-47** for prosecution on the merits.

There should be no fees associated with this amendment. However, the Director of Patents and Trademarks is hereby authorized to charge any underpayment of fees incurred due to this amendment to Deposit Account No. 12-1213 (for Lexmark International, Inc.)

Serial No.: 10/619,239

-2-

Attorney Docket: 2001-0941.01

RECEIVED
CENTRAL FAX CENTER

JUN 04 2007

Respectfully submitted,

MARK JOSEPH EDWARDS

By Frederick H. Gribbell

Frederick H. Gribbell
Attorney for Applicant
Registration No. 33,892

FREDERICK H. GRIBBELL, LLC
10250 Alliance Road, Suite 120
Cincinnati, Ohio 45242
(513) 891-2100

CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at FAX No. (571) 273-8300, on this 4th day of June, 2007.

Frederick H. Gribbell

lviv07Nex07Ncx570.rr

Serial No.: 10/619,239

-3-

Attorney Docket: 2001-0941.01